



PATENT
Attorney Docket No. 05725.1335-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re National Stage of International |) | |
| Application No. PCT/US0401071 of: |) | |
| |) | Group Art Unit: 1615 |
| Balanda ATIS |) | |
| |) | Examiner: J. Venkat |
| U.S. Application No.: 10/542,452 |) | |
| |) | |
| PCT Filed: January 16, 2004 |) | |
| |) | Confirmation No.: 2637 |
| 35 U.S.C. § 371 (c) date: May 23, 2006 |) | |
| |) | |
| For: LONG WEAR COSMETIC |) | |
| COMPOSITION |) | |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the listed documents on the attached PTO SB/08 Form. To the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed foreign and non-patent literature documents are attached. Copies of the U.S. patents and U.S. patent application publications are not enclosed.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

With respect to the non-English language documents, Applicant submits the following remarks:

1. **FR 1 477 048** - This document is believed to be related to U.S. Patent Nos. 3,578,719, 3,666,671, and 3,877,955.
2. **FR 2 091 516** - This document is believed to be related to U.S. Patent Nos. 3,928,224, and 4,087,466.
3. **FR 2 328 763** - This document is believed to be related to U.S. Patent Nos. 4,307,079.
4. **JP S61-100513** - This document is believed to be related to European Patent Application No. 0 179 416 (A2), a copy of which is submitted herewith.
5. **JP-A S61-210019** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
6. **JP-A H03-141212** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
7. **JP-A H11-049657** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
8. **JP-A 2001-072537** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
9. **JP 2002-234819** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
10. International Search Report for PCT Application No. PCT/US04/01071, dated September 3, 2004 by Examiner Jyothsna A. Venkat: This is the Search Report for the PCT of which this application is the National Stage Entry.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the U.S. Patent and Trademark Office the relevant facts and law regarding the appropriate status of such documents.

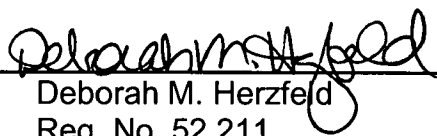
Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: August 7, 2007

By: 
Deborah M. Herzfeld
Reg. No. 52,211

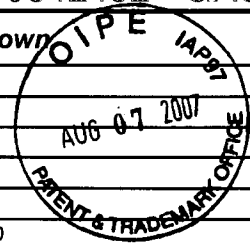
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| IDS Form PTO/SB/08: Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | Complete if Known | | | |
| | | Application Number | 10/542,452 | | |
| | | § 371 (c) date | May 23, 2006 | | |
| | | First Named Inventor | Balanda ATIS | | |
| | | Art Unit | 1615 | | |
| | | Examiner Name | J. Venkat | | |
| Sheet | 1 | of | 2 | Attorney Docket Number | 05725.1335-00 |

| U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS | | | | | |
|---|-----------------------|--|---|---|---|
| Examiner Initials | Cite No. ¹ | Document Number | Issue or Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number-Kind Code ² (if known) | | | |
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| | 26 | US-2002/0114773 A1 | 08-22-2002 | Kanji et al. | |
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| | 29 | US-6,589,517 B1 | 07-08-2003 | McKelvey et al. | |

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. //J.V./

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| | | | | Art Unit | 1615 |
| | | | | Examiner Name | J. Venkat |
| | | | | Attorney Docket Number | 05725.1335-00 |
| Sheet | 2 | of | 2 | | |



| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------------|-----------------------|---|--------------------------------|--|--|---------------------------------|
| Examiner Initials ¹ | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | Translation ⁶ |
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| | 39 | JP 2002-234819 | 08-23-2002 | KOSE KK | | Abstract |
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| NONPATENT LITERATURE DOCUMENTS | | | |
|--------------------------------|-----------------------|---|--------------------------|
| Examiner Initials ¹ | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | Translation ⁶ |
| | 41 | International Search Report dated September 3, 2004, Examiner Jyothsna A. Venkat for PCT/US04/01071. | |
| | 42 | "The Journal of the Society of Cosmetic Chemists", March 1954, (Vol. 5) pgs. 249-256. | |
| | 43 | KIRK-OTHEMER, "Encyclopedia of Chemical Technology Third Edition", Vol. 22, pgs. 347-377. | |
| | 44 | "Microemulsions Theory and Practice", L.M. Prince, ED., Academic Press (1977), Vol. 2 pgs. 21-32. | |
| | 45 | "International Cosmetic Ingredient Dictionary and Handbook, Seventh Ed., (1997) Vol. 2 pgs. 1654-1655. | |
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| | 50 | English language Derwent Abstract for JP-A 2001-072537. | |
| | 51 | English language Derwent Abstract for JP 2002-234819. | |

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|--------------------|-------------------|-----------------|------------|
| Examiner Signature | /Jyothsna Venkat/ | Date Considered | 08/01/2010 |
|--------------------|-------------------|-----------------|------------|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.V./